

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

Crl. Misc. No. 41067-M of 2006

DATE OF DECISION : 25.09.2006

Sohrab

.... PETITIONERS

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Satish Chaudhary, Advocate,
 for the petitioner.
 Mr. Partap Singh, Senior DAG, Haryana.

Petitioner Sohrab, apprehending his arrest in a non-bailable offence in case FIR No. 43 dated 23.2.2002 under Sections 148, 149, 323, 307, 353, 332, 333, 186, 394, 427 IPC and 25-54-59 of the Arms Act and Sections 4-A/8, 2/80 of the Punjab Prohibition of Cow Slaughter Act, 1955, registered at Police Station Nuh, District Gurgaon, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 4.5.2006, passed by Additional Sessions Judge, Fast Track Court, Gurgaon, whereby bail application of the petitioner has been dismissed.

Counsel for the petitioner contends that case of the petitioner is similar to the case of the petitioners in Crl. Misc. No. 20207-M of 2005, who have been granted anticipatory bail by this Court. Counsel further states that in terms of the order dated July 28, 2006, the petitioner has joined the investigation. This fact has not been disputed by the State counsel and he further states that the petitioner is no more required for further investigation.

In view of the aforesaid facts, without commenting on the merits of the case, the interim bail, granted vide order dated July 28, 2006,

is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

September 25, 2006
ndj

(SATISH KUMAR MITTAL)
JUDGE